

ELLA I. TOMS, ET AL

VS.

THE UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES, DECEDENTS
OR SUCCESSORS IN INTEREST OF
DANIEL FUNDENBURG, HENRY BARRICK,
JACOB EICHELBERGER, ANDREW SMITH
WILLIAM PATTERSON AND JAMES
SMITH

* NO. 28,116 EQUITY

* IN THE

* CIRCUIT COURT

* FOR

* FREDERICK COUNTY

* MARYLAND

* * * * *

PETITION FOR DECREE PRO CONFESSO

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Ella I. Toms, Agnes Degrange, Grace Smith, Dorothy Smith, Alice Shafer, Carrie E. Zimmerman, Betty Rebecca Pearl, Gladys K. Yeager, Nora M. Holt, Irene D. Holt, Mary J. Wetzel, Betty J. Bell, Wayne M. Holt, Barbara L. Howard, Patricia A. Whipp, Katherine D. Duvall, Evelyn H. Tobery, Charles L. Holt and Carl S. Holt, Sr., by Ralph L. Gastley, Jr., their solicitor, respectfully represents unto your Honors:

FIRST: That the Bill of Complaint was duly filed in this cause on July 8, 1978.

SECOND: That an Order of Publication was issued to the unknown heirs, devisees, personal representatives, descendants or successors in interest of Daniel Fundenburg, Henry Barrick, Jacob Eichelberger, Andrew Smith, William Patterson and James Smith, was posted and set upon the land by the sheriff and was further duly posted on the bulletin board in the immediate vicinity at the court house door for at least sixty (60) days prior to the 7 day of August, 1978.

THIRD: That the Petitioners desire to take testimony to support the allegations in the Bill of Complaint.

TO THE END, THEREFORE:

1. That the Bill of Complaint be taken Pro Confesso against the unknown heirs, devisees, personal representatives, descendants or successors in interest of Daniel Fundenburg, Henry Barrick, Jacob Eichelberger, Andrew Smith, William Patterson and James Smith; all deceased.

2. That the Petitioners be permitted to take testimony to support the